

William A. Isaacson (admitted *pro hac vice*)
BOIES, SCHILLER & FLEXNER LLP
5301 Wisconsin Ave. NW, Suite 800
Washington, D.C. 20015
Telephone: (202) 237-2727
Facsimile: (202) 237-6131
Email: wisaacson@bsfllp.com

Philip J. Iovieno (admitted *pro hac vice*)
Anne M. Nardacci (admitted *pro hac vice*)
Christopher V. Fenlon (admitted *pro hac vice*)
BOIES, SCHILLER & FLEXNER LLP
10 North Pearl Street, 4th Floor
Albany, NY 12207
Telephone: (518) 434-0600
Facsimile: (518) 434-0665
Email: piovieno@bsfllp.com
anardacci@bsfllp.com
cfenlon@bsfllp.com

Counsel for Plaintiffs
METROPCS WIRELESS, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

This Document Relates To Individual Case
No. 3: 11-cv-00829-SI (N.D. Cal.)

METROPCS WIRELESS, INC.,

Plaintiff,

vs.

AU OPTRONICS CORPORATION, et al.,

Defendants.

Case No. 3: 11-cv-00829-SI (N.D. Cal.)

Master File No. 3:07-md-01827-SI (N.D. Cal.)

MDL No. 1827

**STIPULATION AND ~~PROPOSED~~
ORDER TO RESECHEDULE HEARING
ON DEFENDANTS' INDIVIDUAL AND
JOINT MOTIONS TO DISMISS**

1 WHEREAS, on July 8, 2011, Plaintiff MetroPCS Wireless, Inc. ("MetroPCS") filed an
2 amended complaint in the above-captioned case (MDL Dkt. No. 3064) ("Amended Complaint");

3 WHEREAS, on August 5, 2011 defendants AU Optronics Corporation, AU Optronics
4 Corporation America, Chi Mei Optoelectronics Corporation, Chi Mei Optoelectronics USA, Inc.,
5 CMO Japan Co., Ltd., Chunghwa Picture Tubes, Ltd., Epson Electronics America, Inc., Epson
6 Imaging Devices Corporation, HannStar Display Corporation, Hitachi Electronic Devices (USA),
7 Inc., Hitachi, Ltd., Hitachi Displays, Ltd., Mitsui & Co. (Taiwan), Ltd. ("Mitsui Taiwan"), Sanyo
8 Consumer Electronics Co., Ltd. ("Sanyo"), Sharp Corporation, Sharp Electronics Corporation,
9 Tatung Company of America, Inc., Toshiba America Electronic Components, Inc., Toshiba
10 America Information Systems, Inc., Toshiba Corporation, and Toshiba Mobile Display Co., Ltd.
11 (collectively, "Moving Defendants"), filed a joint motion to dismiss MetroPCS' Amended
12 Complaint (MDL Dkt. No. 3225) ("Joint Motion");

13 WHEREAS, on August 5, 2011, Mitsui Taiwan and Sanyo filed separate motions to
14 dismiss MetroPCS' Amended Complaint (MDL Dkt. Nos. 3218 and 3231, respectively)
15 (collectively, together with the Joint Motion, "Motions");

16 WHEREAS, the Motions are scheduled to be heard on October 7, 2011;

17 WHEREAS, counsel for MetroPCS has a conflict with another matter on October 7, 2011;
18 and

19 WHEREAS, counsel for Sanyo, Mitsui Taiwan, and Moving Defendants have agreed to
20 reschedule the hearing for October 28, 2011.

21 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
22 undersigned counsel, on behalf of their respective clients, MetroPCS, on the one hand, and
23 Moving Defendants, on the other hand, as follows:

- 24 1. The Motions shall be heard on October 28, 2011.
- 25
- 26
- 27
- 28

1 DATED: October 5, 2011

/s/ William A. Isaacson

2 William A. Isaacson (admitted *pro hac vice*)
3 BOIES, SCHILLER & FLEXNER LLP
4 5301 Wisconsin Ave. NW, Suite 800
5 Washington, D.C. 20015
6 Telephone: (202) 237-2727
7 Facsimile: (202) 237-6131
8 Email: wisaacson@bsflp.com

9 Philip J. Iovieno (admitted *pro hac vice*)
10 Anne M. Nardacci (admitted *pro hac vice*)
11 Christopher V. Fenlon (admitted *pro hac vice*)
12 BOIES, SCHILLER & FLEXNER LLP
13 10 North Pearl Street, 4th Floor
14 Albany, NY 12207
15 Telephone: (518) 434-0600
16 Facsimile: (518) 434-0665
17 Email: piovieno@bsflp.com
18 anardacci@bsflp.com
19 cfenlon@bsflp.com

Counsel for Plaintiff MetroPCS Wireless, Inc.

/s/ Christopher A. Nedeau

13 Christopher A. Nedeau (CA Bar No. 81297)
14 Carl L. Blumenstein (CA Bar No. 124158)
15 Katharine Chao (CA Bar No. 247571)
16 NOSSAMAN LLP
17 50 California Street, 34th Floor
18 San Francisco, California 94111-4799
19 (415) 398-3600 (Phone)
20 (415) 398-2438 (Facsimile)
21 cnedeau@nossaman.com
22 cblumenstein@nossaman.com
23 kchao@nossaman.com

*Counsel for Defendants AU Optronics Corporation and
AU Optronics Corporation America*

/s/ Neal A. Potischman

21 Christopher B. Hockett (SBN 121539)
22 Neal A. Potischman (SBN 254862)
23 Sandra West (SBN 250389)
24 Samantha H. Knox (SBN 254427)
25 DAVIS POLK & WARDWELL LLP
26 1600 El Camino Real
27 Menlo Park, California 94025
28 (650) 752-2000 / (650) 752-2111
chris.hockett@davispolk.com
neal.potischman@davispolk.com
sandra.west@davispolk.com
samantha.knox@davispolk.com

Jonathan D. Martin (admitted pro hac vice)
Bradley R. Hansen (admitted pro hac vice)
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, New York 10017
(212) 450-4000 / (212) 701-5800
jonathan.martin@davispolk.com
bradley.hansen@davispolk.com

*Counsel for Defendants Chimei Innolux Corporation
(f/k/a Chi Mei Optoelectronics Corp.), Chi Mei
Optoelectronics USA, Inc., and CMO Japan Co., Ltd.*

/s/ Stephen P. Freccero

Melvin R. Goldman (CA Bar No. 34097)
Stephen P. Freccero (CA Bar No. 131093)
Derek F. Foran (CA Bar No. 224569)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
(415) 268-7000 (Phone)
(415) 268-7522 (Facsimile)
mgoldman@mofo.com
sfreccero@mofo.com
dforan@mofo.com

*Counsel for Defendants Epson Electronics America, Inc.
and Epson Imaging Devices Corporation*

/s/ Rachel S. Brass

Rachel S. Brass
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-2933
(415) 393-8200 (Phone)
(415) 393-8306 (Facsimile)
rbrass@gibsondunn.com

*Counsel for Defendants Chunghwa Picture Tubes, Ltd.
and Tatung Company of America, Inc.*

/s/ John H. Chung

John H. Chung
WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036-2787
(212) 819-8200 (Phone)
(212) 354-8113 (Facsimile)
jchung@whitecase.com

*Counsel for Defendants Toshiba Corporation, Toshiba
America Electronic Components, Inc., Toshiba America
Information Systems, Inc., and Toshiba Mobile Display
Co., Ltd.*

Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of
this document has been obtained from stipulating defendants.

IT IS SO ORDERED.

Dated: 10/5, 2011



Susan Illston, United States District Judge